

1 Russell A. Robinson (163937)
2 Law Office of Russell A. Robinson, APC
3 345 Grove Street, First Floor
San Francisco CA 94102
3 Telephone: (415) 255-0462
Facsimile: (415) 431-4526

5 Attorneys for Plaintiffs
SHERRILL FOSTER, HOWARD FOSTER,
SHEILA BURTON, and MINNIE BURTON

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

10 SHERRILL FOSTER, HOWARD FOSTER,
11 SHEILA BURTON, and MINNIE BURTON,
12 Plaintiffs,
13 v.
14 SHANNON EDMONDS, LORI TYLER,
15 COUNTY OF LAKE, CITY OF CLEARLAKE,
16 and DOES 1-100,
17 Defendants.
18
19) No. C-07-5445-EMC
20)
21) **PLAINTIFFS' MOTION TO ENTER**
22) **DEFAULT AS TO DEFENDANTS**
23) **SHANNON EDMONDS AND LORI**
24) **TYLER; DECLARATION OF COUNSEL**
25) **IN SUPPORT**
26) **[FRCP RULE 55]**
27) **[JURY TRIAL DEMANDED]**
28) Date: April 23, 2008
29) Time: 10:30 a.m.
30) Courtroom: C, 15th Floor
31)
32)

I. NOTICE OF MOTION AND MOTION TO ENTER DEFAULT

TO THE COURT AND TO ALL PARTIES AND COUNSEL OF RECORD:

19 PLEASE TAKE NOTICE that on April 23, 2008, at 10:30 a.m., in Courtroom C, on the
20 15th Floor, at 450 Golden Gate Avenue, in San Francisco, California, Plaintiffs will move the
21 Court, pursuant to Federal Rules of Civil Procedure (FRCP), Rule 55, for entry of default as to
22 Defendants SHANNON EDMONDS and LORI TYLER. Said defendants were served with
23 summons and first amended complaint on December 23, 2007. Said Defendants failed to plead
24 or otherwise defend as provided by the Federal Rules of Civil Procedure.

1 Therefore, default as to these two defendants should be entered under FRCP, Rule 55.

2

3 Date: March 12, 2008

/s/ Russell A. Robinson

Law Office of Russell A. Robinson
Attorneys for Plaintiffs
SHERRILL FOSTER, HOWARD FOSTER,
SHEILA BURTON, and MINNIE BURTON

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7 **II. DECLARATION OF COUNSEL**

8 I, Russell A. Robinson, hereby declare as follows:

9 1. I am Plaintiff's counsel in this matter. I am admitted to practice before all courts
10 in the State of California and have been admitted in the Northern District of California (USDC)
11 since 1993. The below true and correct facts are based on my own personal knowledge, except
12 facts stated as based on information and belief; as to facts so stated, I believe these to be true.

13 2. This case was filed on October 24, 2007. On December 7, 2007, I caused to be
14 filed on behalf of Plaintiffs the first amended complaint.

15 3. Defendants Shannon Edmonds and Lori Tyler, aka "Lori Reshel Laferty", had
16 been difficult to serve with summons and complaint. I am informed and believe they were
17 elusive and protected by members of Lake County law enforcement because of the controversial
18 prosecution for murder of the young black man who did not kill Christian Foster and Rashad
19 Williams; that is, the white Shannon Edmonds, he who actually killed Christian Foster and
20 Rashad Williams, is the prosecution's primary witness in the case against Renato Hughes.
21 Additionally, I am informed and believe that Shannon Edmonds and Lori Tyler, who were
22 purportedly engaged on December 7, 2005 [the date of the two murders], may have separated
23 and moved around in the Clearlake-Willits area.

24

25

1 3. I am informed and believe that both Edmonds and Tyler were in fact served in
2 this case with summons, first amended complaint, notice of case management conference
3 statement, and lis pendens on December 23, 2007, in Clearlake, California [Edmonds and
4 substituted service of Tyler], and in Willits, California [personal service of Tyler].

5 4. I am informed and believe that Edmonds and Tyler will not be defended by the
6 other defendants in this action.

7 5. To date, neither Edmonds nor Tyler have contacted my office. They have not
8 answered, and they have failed to plead or otherwise defend as provided by the Federal Rules of
9 Civil Procedure. Therefore, Plaintiffs respectfully request that default against Defendants
10 Shannon Edmonds and Lori Tyler, aka "Lori Reshel Laferty", be entered by the Court.

11 6. True and correct copies of the proofs of service of summons and first amended
12 complaint are attached hereto.

13 I, Russell A. Robinson, hereby declare under penalty of perjury and under the laws of the
14 State of California, that the above is true and correct.

15
16
17
18 Date: March 12, 2008

/s/Russell A. Robinson

19 By: Russell A. Robinson
Law Office of Russell A. Robinson, APC
Counsel for Plaintiffs
20 SHERRILL FOSTER, HOWARD FOSTER, SHEILA
BURTON, and MINNIE BURTON

1 *Foster, et al., v. Edmonds, et al. (No. C-07-5445-EMC)*

2 **PROOF OF SERVICE**

3 I am over the age of eighteen years and not a party to the within action. I am employed at
 4 and my business is 345 Grove Street, San Francisco, California 94102. On March 12, 2008, I
 served the following document(s):

5 **PLAINTIFFS' MOTION TO ENTER DEFAULT AS TO DEFENDANTS SHANNON
 EDMONDS AND LORI TYLER; DECLARATION OF COUNSEL IN SUPPORT**

6 X **BY MAIL:** I served a true copy of each of the above named document(s) by mail by
 7 placing same in a sealed envelope fully prepaying postage thereon, and depositing
 8 said envelope in the U.S Mail at San Francisco, California. Said envelope was
 addressed as shown below.

9 _____ BY PERSONAL SERVICE: I personally served by hand a true copy of the above named
 10 document(s) upon those listed below.

11 _____ BY FACSIMILE TRANSMISSION: I served the above named document(s) by facsimile
 upon Respondent at the address and number listed below.

12 The envelope addressed, and/or the number dialed, were as follows:

13 Shannon Edmonds Lori Tyler, aka "Lori Reshel Tyler"
 2922 11th Street P.O. Box 1548
 14 Clearlake CA 95422 Willits CA 95490
 (Defendant) (Defendant)

15 Lori Tyler, aka "Lori Reshel Tyler" Lori Tyler, aka "Lori Reshel Tyler"
 2922 11th Street P.O. Box 463
 16 Clearlake CA 95422 Boonville CA 95415
 (Defendant) (Defendant)

18 Lori Tyler, aka "Lori Reshel Tyler" Shannon Edmonds
 2100 Center Valley Road P.O. Box 171
 19 Willits CA 95490 Boonville CA 95415
 (Defendant) (Defendant)

21 I declare under penalty of perjury that the above is true and correct. Executed at San
 22 Francisco, California, on March 12, 2008.

23 _____ /s/ Rosemary Hernandez _____
 Rosemary Hernandez